

IN THE CRIMINAL COURTS OF TENNESSE  
FOR THE 30<sup>TH</sup> JUDICIAL DISTRICT AT MEMPHIS  
DIVISION \_\_\_\_\_

STATE OF TENNESSEE

VS. NO: (S) \_\_\_\_\_

CHARGE(S) \_\_\_\_\_

DEFENDANT \_\_\_\_\_

**PETITION FOR WAIVER OF TRIAL BY JURY AND REQUEST FOR  
ACCEPTANCE OF PLEA OF GUILTY**

My true name is \_\_\_\_\_ and my Attorney \_\_\_\_\_  
was (retained by me) (appointed by the Court). I have received and read a copy of the indictment, discussed it with my Attorney, and understand the nature of the charges against me. I have told my Attorney the facts and circumstances concerning the accusation against me. My Attorney has informed me as to the nature and cause of the charges against me in the indictment and, if applicable that a different or additional punishment may result by reason of any prior convictions or other factors which may be established in the present action, after the entry of the plea, and the offense to which I seek to plead guilty by the Petition if accepted by the Court:

CONVICTION	SENTENCE	FINE	LOCATION	Range And %

**SENTENCE DEFERRED DATE** (if applicable) \_\_\_\_\_

It has been fully explained to me, and I understand that I may, if I so choose, plead **NOT GUILTY** to any offense charged against me, and that if I choose to plead **NOT GUILTY**, the Constitution guarantees, and this Court will provide me the right to a speedy and public trial by Jury, the right to confront and cross-examine all witnesses against me, the right to use the subpoena process of the Court to compel the production of any evidence, including the attendance of any witness in my favor, the right to have a Jury impose any fine in excess of **FIFTY(\$50.00) Dollars**, the right to have the assistance of counsel in my defense in all stages of the proceedings, and the right not to be compelled to incriminate myself. I understand that upon pleading guilty, the Court or the State may ask me questions about the offense to which I have plead, and if I answer these questions under oath, on the record, and in the presence of my counsel, my answers may later be used against me in a prosecution for perjury or false statement, and, further, that upon the sentencing hearing, evidence of any prior convictions may be presented to the Judge or Jury for their consideration in determining punishment. It has been explained to me and I understand that this conviction(s) may be used in a subsequent proceeding to enhance the punishment for subsequent offenses. I understand that if I plead guilty, I waive my right to a Jury trial and all the above rights.

In the exercise of my own free will and choice, and without any threats or pressure of any kind, or promises of gain or favor from any source whatsoever, and being fully aware of the action I am taking, I do hereby in open Court request the Court to accept my pleas of guilty to the charges, set forth in my attached negotiated plea agreement.

Furthermore, having been advised of my constitutional rights, I freely and voluntarily waive my right to a trial by Jury and right not to be compelled to incriminate myself. I hereby submit my case to the Trial Judge for decision, both as to guilt and punishment, said Petition being concurred in by the District Attorney General. I fully understand my right to have my case reviewed by an Appellate Court, but hereby waive my right to a Motion For New Trial and Appeal.

DEFENDANT \_\_\_\_\_

APPROVED:

DATE: \_\_\_\_\_

\_\_\_\_\_  
Attorney For Defendant

Filed \_\_\_\_\_  
WILLIAM R. KEY, CLERK

\_\_\_\_\_  
Assistant Attorney General

By: \_\_\_\_\_, D.C.

**IN THE CRIMINAL COURTS OF TENNESSEE  
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STATE OF TENNESSEE

VS. NO: (S) \_\_\_\_\_

CHARGE(S) \_\_\_\_\_

\_\_\_\_\_,  
DEFENDANT

**ORDER ON GUILTY PLEA**

This cause came on for hearing before the Honorable \_\_\_\_\_, Judge of Division \_\_\_\_ of the Criminal Court of Shelby County, Tennessee, on petition of the above named defendant for waiver of trial by Jury, waiver of his or her right to have a Jury determine his or her guilt, to submit himself or herself to the trial Judge to determine his or her guilt: and fix his or her punishment, and request for acceptance of plea of guilty, said petition being attached hereto and incorporated by reference herein, upon statements made in open Court by the defendant herein, his or her Attorney of record, the Assistant District Attorney General representing the State of Tennessee; and from questioning by the Court of the defendant and his or her counsel in open Court, and

**IT APPEARING TO THE COURT** after careful consideration that the defendant herein has been fully advised and understands his or her rights to a trial by Jury and to have a Jury indictment against him or her, and the defendant does not elect to have a Jury determine his or her guilt or innocence under a plea of Not Guilty, nor fix his or her fine in excess of **FIFTY (\$50.00) DOLLARS**; and has waived the formal reading of the indictment, and

**IT FURTHER APPEARING TO THE COURT** that the defendant intelligently and understandingly waives his or her right to a trial and his or her right to have a Jury determine his or her guilt and fix his or her fine in excess of **FIFTY (\$50.00) DOLLARS** of his or her own free will and choice and without any threats or pressure of any kind or promises, other than the recommendation of the State as to punishment; and reasonably submits himself or herself to the trial Judge to determine his or her guilt and fix his or her punishment; and waives his or her right to a **Motion for New Trial and/or Appeal**.

**IT FURTHER APPEARING TO THE COURT**, from the testimony of the defendant, from which the Court finds as a matter of fact and law that the defendant has been rendered that standard of representation by his Attorney as commanded by *Baxter v Rose*, 523 SW2d 930 (Tenn. 1975);

**IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED** that the petition filed herein be, and the same is hereby **GRANTED**.

Entered this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
JUDGE

\_\_\_\_\_  
DIV.

Filed \_\_\_\_\_  
WILLIAM R. KEY, CLERK

By: \_\_\_\_\_ D.C.